

Message Text

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PAGE 01 STATE 191601
ORIGIN L-03

INFO OCT-01 ARA-10 ISO-00 CA-01 SS-15 SCS-06 SEC-01
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DRAFTED BY L/ARA:M KOZAK:LHS

APPROVED BY L:M B FELDMAN

L/CA - MR. DALTON (DRAFT)

L/M - MS. HUMMER

SCS - MRS. MULLEN (SUBS)

ARA/CAR - MR. GRIFFITH (PHONE)

SEC - MR. BROWN (DRAFT)

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FM SECSTATE WASHDC

TO AMEMBASSY NASSAU IMMEDIATE

C O N F I D E N T I A L STATE 191601

E.O. 11652: GDS

TAGS: PFOR, PGOV (ROBERT VESCO)

SUBJECT: VESCO CASE: SERVICE OF PAPERS

REF: KOZAK/SHENKLE TELCON OF JULY 28

1. U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK HAS ISSUED AN ORDER REQUIRING ROBERT VESCO TO SHOW CAUSE WHY HE SHOULD NOT BE HELD IN CONTEMPT FOR FAILURE TO COMPLY WITH ORDER ENTERED BY COURT IN 1973 AT REQUEST OF SECURITIES & EXCHANGE COMMISSION. COURT HAS FURTHER ORDERED THAT SEC REPRESENTATIVE OR U.S. CONSULAR OFFICER SERVE VESCO WITH SHOW CAUSE ORDER PRIOR TO 1700 AUGUST 1.

2. DOCUMENTS TO BE SERVED HAVE BEEN TRANSMITTED TO EMBASSY VIA SPECIAL POUCH. IN VIEW OF SENSITIVITY OF VESCO CASE,
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YOU SHOULD NOTIFY APPROPRIATE GOB AUTHORITIES THAT YOU WILL BE SERVING PAPERS ON VESCO. IF THEY RAISE ANY QUESTIONS, YOU SHOULD NOTE THAT ARTICLE 17(1)(G) OF U.S.-U.K. CONSULAR TREATY OF JUNE 6, 1951, WHICH IS IN FORCE BETWEEN U.S. AND BAHAMAS, ESTABLISHES RIGHT OF U.S. CONSULAR OFFICERS TO SERVE JUDICIAL DOCUMENTS ON U.S. NATIONALS "IN A MANNER PERMITTED UNDER SPECIAL ARRANGEMENTS ON THIS SUBJECT BETWEEN

THE HIGH CONTRACTING PARTIES OR OTHERWISE NOT INCONSISTENT WITH THE LAWS OF THE TERRITORY." UNLESS BAHAMIANS OBJECT TO SUCH PROCEDURES, UPON RECEIPT, U.S. CONSULAR OFFICER SHOULD PROCEED TO VESCO'S RESIDENCE AND ATTEMPT TO EFFECT SERVICE UPON HIM PERSONALLY. (VESCO IS REPORTEDLY STAYING AT OCEAN BREAK VILLAS ON PARADISE ISLAND.) IF, AS IS LIKELY, VESCO GUARDS REFUSE TO PERMIT OFFICER TO PERSONALLY SERVE VESCO, OFFICER SHOULD REITERATE PURPOSE OF HIS REQUEST TO MEET VESCO AND MAKE CLEAR THAT HE IS ACTING PURSUANT TO ORDER OF U.S. FEDERAL COURT. IF ACCESS IS NEVERTHELESS REFUSED, OFFICER SHOULD NOT ATTEMPT ENTRY TO RESIDENCE, BUT SHOULD LEAVE PAPERS WITH GUARDS, REITERATE THAT THEY ARE TO BE DELIVERED TO VESCO, AND REQUEST A RECEIPT. (PAPERS SHOULD BE LEFT WITH GUARDS OR OTHER PERSON AT RESIDENCE WHETHER OR NOT THEY ARE WILLING TO PROVIDE A RECEIPT.)

3. PLEASE ADVISE DEPARTMENT BY IMMEDIATE CABLE OF RESULTS OF EFFORT IN ORDER THAT SEC MAY REPORT TO COURT. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
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Concepts: PAPERS
Control Number: n/a
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Draft Date: 28 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: M KOZAK:LHS
Enclosure: n/a
Executive Order: GS
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Review Event:
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Review Release Date: n/a
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Review Withdrawn Fields: n/a
SAS ID: 2039282
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